

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 1, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor
Pro Tem Himmelblau, Councilmembers Mullen, Trevino

Absent: Councilmember Snell

INTERNATIONAL ARCHIVES WEEK

Mayor McClellan read a proclamation designating the week of November 4-10, 1979, as International Archives Week. Audray Bateman, Curator, Austin-Travis County Collection, Austin Public Library, and Dr. David B. Gracy, Director, Texas State Archives, both thanked the Mayor for the proclamation.

HISTORY APPRECIATION WEEK

The week of November 4-10, 1979, will be observed as History Appreciation Week, according to a proclamation read by Mayor McClellan. Ina Ray Smith, Vice Chairman, Travis County Historical Commission, was in the Council Chamber to accept the proclamation with her thanks. Mary Starr Barkley, member of the Travis County Historical Commission was also a recipient.

ZONTA INTERNATIONAL DAY

Natalie Townes, International Relations Committee, thanked the Mayor for the proclamation she read setting aside November 8, 1979, as Zonta International Day.

POPPY DAYS

November 5-11, 1979, will be known as Poppy Days in Austin and Mayor McClellan read a proclamation designating those days as such. Mrs. Lois Hansen and Mrs. Betty Horton, Poppy Chairpersons, were in the Council Chamber to accept the proclamation with their thanks and to pin poppy corsages on the Mayor and Mayor Pro Tem Himmelblau, and give poppy boutonniere's to Councilmembers Cooke, Mullen, Goodman, Trevino.

EMERGENCY MEDICAL SERVICES WEEK

Dennis Simmons, Deputy Director, EMS Department, City of Austin, was in the Council Chamber, along with several members of the EMS Department, to receive a proclamation read by Mayor McClellan designating the week of November 4-11, 1979, as Emergency Medical Services Week.

CPR MONTH

Marty Seal-Jimenez, EMS Department, received a proclamation, read by the Mayor, designating the month of November as CPR Month. During the acceptance of the proclamation, Joe Ternus, Director of Urban Transportation, suffered a mock heart attack and a team of paramedics treated him in a demonstration of a performance of their duties for EMS. Ms. Seal-Jimenez then presented the Mayor and Councilmembers with "Be a Hero Learn CPR" T-shirts.

GOODBYE TO CYNDY ALLEN

Mayor McClellan recognized her aide, Cyndy Allen, who has resigned to accept a position with the Austin Symphony. The Mayor spoke of the work Cyndy has performed for her and the City and wished her well in her future.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Boards and Commissions appointments will be made on November 8, 1979:

- Joint Airport Zoning Board - 1
- Employees' Retirement System - 1
- On-Going of Goals Assembly Committee - 1
- Manpower Advisory Planning Council - 11
- MH/MR -
- Construction Advisory Committee - 3
- Urban Transportation Commission - 1
- Electric Utility Commission - 3
- Hospital Board - 3
- Community Development Commission - 1
- Human Relations Commission - 7
- Commission on the Status of Women - 1
- Vending Commission - 1

The Mayor announced the following appointments will be made December 6, 1979:

Electrical Board - 3
Ethics Review Commission - 1
On-Going of Goals Assembly Committee - 1
Library Commission - 1
Medical Assistance Program Advisory Board - 4
Commission on the Status of Women - 1

MINUTES APPROVED

Mayor Pro Tem Himmelblau moved that the Council approve the Minutes of the Meeting for October 25, 1979 as corrected; and for the Special Meeting at 5:00 P.M., October 18, and the Regular Meeting at 6:00 P.M. October 18, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino
Noes: None
Absent: Councilmember Snell

EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for a Sanitary Sewer Easement for the Upper Walnut Creek Wastewater Improvements Project:

North 20 feet of Lot 13, North Oaks, and a temporary working space easement 30 feet in width adjacent thereto. (James R. Hollar, et ux, owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tracts of land: (Dale Latham Martin, owner)

Zaragosa Park Expansion: 6:00 acres of land out of Outlot 25, Division A, of the Government Outlots.

Pleasant Valley Road Widening and Improvements: 26 square feet out of Outlot 25, Division A, of the Government Outlots.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

LEASE AGREEMENT

Councilmember Mullen moved that the Council postpone until November 8, 1979, consideration of amending the Lease Agreement between the City of Austin, Lessor, and the Austin Council for Retarded Children, Lessee, dated October 22, 1966. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

A five (5.00) foot Public Utility Easement located on Lot 2, Block B, Burneys Resubdivision of a portion of Bellvue Park, 1101 Manlove Street. (Requested by Lawrence J. Morgan, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

An Electric Easement located on a 31.13 acre tract of land out of the William Bell Survey No. 24. (Requested by James G. Vier for J. Gregg Development Company, Inc., owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of a seven and one-half (7.50) foot Public Utility Easement located on Lot 28, Block E, Twin Mesa Subdivision, 8606 Green Valley Circle. (Requested by Thomas J. Wilson, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

<p>CLEGG-AUSTIN 1111 West Anderson Lane, Suite 1002 Austin, Texas</p>	<p>- CAPITAL IMPROVEMENTS PROGRAM - Furnishings for Central Library Additional Equipment, Library Department Items 1 through 40 - \$7,595.88 C.I.P. No. 73/85-07</p>
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

<p>B. G. BOYD CONSTRUCTION COMPANY, JENTSCH-BOYD CONSTRUCTION COMPANY, A Joint Venture 6505 Brownwood Court and 5109 Manchaca Road Austin, Texas</p>	<p>- CAPITAL IMPROVEMENTS PROGRAM - Construction contract for site work, foundations and underground conduit system at Pilot Knob Substation - \$221,566.00 C.I.P. No. 77/16-06</p>
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

SOUTHWAY ELECTRIC UTILITY SERVICE 9230 Neils Thompson Drive Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - 138 KV HOrizontal Post Insulators for use on Circuit 829, Electric Utility Department Item 1: 170 ea. @ \$280.00 Total \$47,600.00 C.I.P. No. 77/13-01
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC SUPPLY COMPANY 9230 Research Boulevard Austin, Texas	- Tubing, Aluminum, Electric Utility Item 2: 2535 feet @ \$453.67/CFT Total \$11,500.53
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

PRIESTER MELL & NICHOLSON 601 East 56th Street Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Station Post Insulator, 345 KV, Electric Utility Department Items 1 & 2 - \$193,702.77 C.I.P. Nos. 78/35-01 & 77/35-05
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

AMERICAN COLDFSET CORPORATION 15879 Midway Road Addison, Texas	- Diamond Concrete Saw Blades, Street & Bridge Department Twelve Month Supply Agreement Item 1: 108 @ \$189.00 Total \$20,412.00 estimated
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
 Councilmembers Mullen, Trevino, Mayor McClellan
 Noes: None
 Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

WARREN E. COLLINS, INC. 220 Wood Road Braintree, Massachusetts	- Pulmonary Function (Lung) Equipment for Brackenridge Hospital Item 1 - \$20,290.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
 Councilmembers Mullen, Trevino, Mayor McClellan
 Noes: None
 Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contracts:

Bid Award:	- Admixtures, Irrigation and Intravenous Fluids and Sets, Brackenridge Hospital Twelve Months Supply Agreement (Jan. 1, 1980 - Dec. 31, 1980)
ABBOTT LABS Abbott Park, D-26-1 North Chicago, Illinois	- Sect I, Items 1-4, 8, 9, 14, 15; Sect III (All Items 18-24); and Sect IV (All items 38-86) - \$372,297.42 estimated
TRAVENOL LABS One Baxter Parkway (1C 11) Deerfield, Illinois	Sec I, Items 6, 7, 12, 13; Sect II (All Items 25-37) - \$40,298.20 estimated
McGAW LABS P. O. Box 1187 Santa Ana, California	- Sect I, Item 10, - \$11,008.00 estimated

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Snell

Councilmember Mullen moved that the Council adopt a resolution approving the following contracts:

Bid Award: - Toro and Rainbird Sprinkler
Repair Parts for Irrigation
System for Parks and Recreation
Department

GOLDTHWAITES OF TEXAS - Items 1-44 - \$12,301.53
10751 Sentinel
San Antonio, Texas

ALAMO MACHINERY COMPANY - Items 45-55 - \$6,556.91
946 Coliseum Road

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Snell

CONTRACTUAL AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to enter into a Contractual Agreement with the Houston-Galveston Area Council of Governments for the purchase of communications equipment (\$17,884.92). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Snell

CHANGE ORDER

Councilmember Mullen moved that the Council adopt a resolution to approve a Change Order in the amount of \$22,430.50 to Panhandle Construction Company for Clarksville Area Improvements Project Phase 1. (CAPITAL IMPROVEMENTS PROJECT No. 77/62-01) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Snell

SUPPORT SERVICES FOR THE ELDERLY

Councilmember Mullen moved that the Council adopt a resolution to authorize permission to submit a renewal application to the Capital Area Planning Council, Governor's Committee on Aging for Support Services for the Elderly. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

TECHNICAL STUDIES GRANT

Councilmember Mullen moved that the Council adopt a resolution to authorize submission of an application to the Urban Mass Transportation Administration for a technical studies grant in the amount of \$20,000. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

APPROVAL OF CONTRACT

Councilmember Mullen moved that the Council adopt a resolution to approve a contract between Brackenridge Hospital and the Texas Department of Human Resources, for the placement of a Medicaid caseworker and secretary on hospital premises, with the City financing one-half of the salary expense (\$22,248; City's share \$11,124). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

AGENDA ITEM POSTPONED

Councilmember Mullen moved that the Council postpone until November 29, 1979, at 9:15 A.M. consideration of authorizing Holiday Inn to use a portion of the Sand Beach Reserve Park land for parking purposes. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

Councilmember Cooke asked for this to be pulled. He said he is still talking to several community and neighborhood groups; they are looking at legal aspects as well as alternate possibilities to what was first recommended and that when it is back on the agenda all sides will get plenty of exposure.

ANNEXATION

Councilmember Mullen moved that the Council adopt a resolution for authorization for annexation of 77.71 acres of land into the Williamson County Municipal Utility District No. 1 with bond financing option No. 2 as follows:

(2) Not only the approach main and the oversize lines, but also of the interior lines to the extent of the cost of the parkland, park improvements, street lights, and street signs (the current proposal requested by Mr. Vier).

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmember Mullen, Mayor McClellan
Noes: None
Abstained: Councilmember Trevino
Absent: Councilmember Snell

LEASE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to approve a Lease Agreement between the City and Hayes Leasing Co., Inc. (Avis Rent-A-Car) and request for Federal Aid to construct service road. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

INFANT STIMULATION HEALTH AND NUTRITION PROGRAM

Councilmember Mullen moved that the Council adopt a resolution to approve a request for endorsement of a funding proposal in the amount of \$49,928.00 by the Center for Development of Non-Formal Education to be submitted to the Texas Department of Community Affairs (TDCA) to conduct an infant stimulation health and nutrition education program for children up to 2 years of age. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Council had before it for consideration an ordinance approving the reprogramming of \$1,388,352.00 of available Housing and Community Development Block Grant (CDBG) funds.

Mayor McClellan told Council that Councilmember Snell has requested that decision on this be postponed one week, however, "we have another Council member that will not be able to be here the next two to three weeks so we won't have a full Council here until the 29th. We need to discuss whether you want to act on this today or not. Another problem is we can't hold this more than a week."

Mayor Pro Tem Himmelblau stated: "I'm in complete agreement with the South Austin Multipurpose Center, the East Austin Multipurpose Center, Boggy Creek Improvements, Zoning Study, Waller Creek Improvements and the Austin Redevelopment Authority. I'd hate to see a switching in priorities and then not be here to vote on it."

Councilmember Trevino said, "I also respectfully request another week. I am in agreement with Boggy Creek, Zoning Study and Austin Redevelopment Authority; however, there is some question whether we want to spend so much money on Waller Creek improvements." Mayor Pro Tem Himmelblau pointed out to him that the Waller Creek improvements are not recommended. He said there is also a question about Rosewood and Montopolis Neighborhood Centers...whether they want to commit all this money or just have the design study.

Mayor Pro Tem Himmelblau said, "I'd like to take action on the South Austin Multipurpose Center which is about finished and the East Austin if they show a need for money; and Boggy Creek and the Zoning Study which we are committed to. This will leave the two neighborhood centers, Rosewood and Montopolis, for next week."

Mayor McClellan said this will be included in the consent motion and Rosewood and Montopolis Neighborhood Centers will be deliberated next week.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1984 CAPITAL IMPROVEMENT PROGRAM BUDGET AND OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 AND MAKING APPROPRIATIONS FOR EACH PROJECT AND ACCOUNT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

The reprogramming of the \$751,958.00 of available Housing and Community Development Block Grant funds is as follows:

South Austin Multipurpose Center	\$ 30,610
East Austin Multipurpose Center	200,000
Boggy Creek Improvements	230,000
Zoning Study	100,000
Austin Redevelopment Authority	191,348
	<u>\$751,958</u>

TERMINAL PARKING LOT ENLARGEMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE FISCAL YEAR 1979-84 BY APPROPRIATING \$66,276.89 FROM THE AVIATION CAPITAL IMPROVEMENT PROGRAM FUND FOR THE PURPOSE OF FUNDING THE TERMINAL PARKING LOT ENLARGEMENT, CAPITAL IMPROVEMENT PROGRAM SERIAL NO. 78/81-04; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke
 Noes: None
 Absent: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

FEE SCHEDULES - BUILDING, HEATING AND AIR CONDITIONING, PLUMBING AND ELECTRICAL

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTERS 36, 37, 39 AND 42 OF THE AUSTIN CITY CODE OF 1967; PROVIDING A NEW PERMIT FEE SCHEDULE FOR BUILDING, ELECTRICAL, HEATING, AIR CONDITIONING, AND PLUMBING WORK; AMENDING SECTION 36-303, SECTION 37-44, SECTION 39-304, AND SECTION 42-A215 OF THE AUSTIN CITY CODE OF 1967; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE OF NOVEMBER 5, 1979.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke
 Noes: None
 Absent: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

SIGN CONTROLS FOR HIGHWAY 620

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-5(h) OF THE AUSTIN CITY CODE OF 1967 BY ADDING HIGHWAY 620 WITHIN THE PROVISIONS OF THAT SECTION WHICH PROHIBIT THE ERECTION OF OFF-PREMISE SIGNS AND WHICH PROVIDE STANDARDS FOR ERECTION OF CERTAIN SIGNS WITHIN TWO HUNDRED FEET OF MO-PAC BOULEVARD CURB LINE AND LOOP 360 CURB LINE; CHANGING THE EXPIRATION DATE THEREOF TO JUNE 30, 1980; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

(See last page of Minutes for referral to the Sign Committee.)

TRANSIT FARE INCREASE

Mayor McClellan brought up the following ordinance for third reading:

AN ORDINANCE REPEALING ORDINANCE NO. 781214-R; ESTABLISHING THE RATES TO BE CHARGED FOR USING THE AUSTIN TRANSIT REGULAR ROUTE SYSTEM; PROVIDING FOR NO CHARGE FOR ZONE CHANGES; PROVIDING FOR TRANSFERS; ESTABLISHING CHARTER SERVICE FEES; ESTABLISHING CONTRACT SERVICES FEES; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the third time, and Mayor Pro Tem Himmelblau moved that it be finally passed. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmember Mullen, Mayor McClellan, Councilmember Cooke
Noes: Councilmembers Goodman, Trevino
Absent: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 5,603 SQUARE FOOT TRACT OF LAND MORE OR LESS OUT OF LOT 4, AND THE SOUTH 3 FEET OF LOT 5, IN BLOCK 1, OF COUNTRY CLUB HEIGHTS; LOCALLY KNOWN AS 3907 RED RIVER STREET; FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (Joseph F. Sympton, C14-79-179)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmember Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Mullen

Absent: Councilmember Snell

Councilmember Cooke said that even though he had voted No when this case was heard and granted on October 25, 1979, he was voting Yes today because of Councilmember Snell's absence so this would not be delayed for passage.

MODEL ENERGY DEVELOPMENT
DEMONSTRATION PROJECT

MR. RAY REECE, Chairman, Renewable Energy Resources Commission, appeared before Council to request them to establish a Model Energy Development Demonstration District and to approve initial planning for implementation of the district. He said since their first presentation of the District in August there has been a good deal of discussion among various peoples in every sector of the city who would be effected by implementation of a district such as this. Mr. Reece said they have been following through on an invitation from the U.S. Department of Energy to prepare a grant application for planning monies that would be strictly related to the Model Energy Development District implementation. They are at the point where they want to process the grant application as well as a second grant possibility which came up since the time they talked with the Department of Energy originally. They need the Council action in order to complete the processing and submission of the grant application. The deadline on the state grant application is November 14. In both grant applications they have made a tentative reference to establishment of an official energy office by the City of Austin. He reminded Council that one of the requests the Commission made to them in August was for some degree of professional full-time staff support for the Renewable Energy Resources Commission because it has become clear to them that if all four members of their Commission work 7 days a week, they would not be able to carry out all the work which needs to be done to bring Austin into the age of solar energy. They have learned the City Manager's office is considering getting some sort of staff which would be more

related to energy conservation. Mr. Reece pointed out they have the concurrence of the executive committee of the Energy Conservation Commission. This district which they are proposing downtown will maximize not only the application of renewable energy resources but will also maximize conservation technology... therefore, it is compatible with the goals of the Energy Conservation Commission.

Mr. Reece then reviewed the five major points of their request which are as follows:

1. Adopt a resolution expressing the Council's intention to create a Model Energy Development Demonstration District coterminus with the Downtown Revitalization Area, for the purpose of encouraging the use and implementation of renewable energy resources and conservation measures in that district.
2. Request that the RERC investigate the economic and technical viability of renewable energy resources and energy conservation measures best suited for use in the MEDDD, and report its findings to the Council.
3. Request that the RERC study and report to Council on methods by which the City Electric Department can provide renewable energy utility services to the MEDDD, such as waste heat/chilled water from nearby power plants and Lake Austin water for air-conditioning condenser service.
4. Request that the RERC recommend to Council an appropriate legal and regulatory structure by which the City can best encourage the use of renewable energy resources and energy conservation measures in the MEDDD.
5. Request that the RERC draft proposals to federal and state funding sources to finance the studies requested in Items 2, 3, and 4, such proposals to be submitted through normal channels.

Mr. Reece informed Council that the two grant applications they are concerned with and which have been written in draft form are for \$68,000 from the Federal government and \$20,000 from the State (which is actually Federal money) to be matched by \$10,000 from the City, possibly in in-kind services.

Mayor McClellan stated, "I certainly think that we ought to designate this area contiguous with our designation of our redevelopment area as a Model Energy Development Demonstration District and proceed to take steps."

Councilmember Goodman moved that the Council bring back a resolution next week to create a Model Energy Development Demonstration District; and Renewable Energy Resources Commission to proceed with (2), (3), (4), and (5) of their report. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Absent: Councilmember Snell

CONTINUED ZONING HEARING

Mayor McClellan opened the continued zoning hearing, scheduled for 9:45 A.M., on the following zoning case:

ROBERT L. OGDEN 1601 West 6th Street
By Leonard Frazer 510-514 West Lynn
C14-79-173

From "B" Residence
2nd Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st
Height and Area

Mr. Lillie stated this hearing is a continuation from last week. Mr. Lonnie Davis, Director, Building Inspection Department, had informed Mr. Lillie that the activities of the stained glass studio located on the southwest corner of West 6th and West Lynn require "GR" General Retail zoning.

LEONARD FRAZER, representing the applicant, said he has had a small stained glass business on the site for 3 years. It is a one-person business with low volume like all developments similar in the neighborhood. He asked Council to grant "GR" so he can do the necessary repairs to the shop. He said the applicant (his landlord) has agreed to a restrictive covenant that zoning will roll back to "O" Office if he leaves. If the "GR" General Retail, which is consistent with the neighborhood is denied, then the house will become run down.

MS. TANIGUCHI, 1609 West 6th Street, told Council she is rehabilitating a home for "O" Office use and does not think "GR" is necessary.

In answer to Councilmember Goodman's question re clarification of the "GR" request, the studio part of the business only requires "O" but the repair and selling of supplies will draw business from outside the neighborhood and would require "GR".

JANE SMOOT, 1316 West 6th Street, appeared before Council to state that 6th Street is crucial to downtown revitalization and asked Council to think of her area as a part of the central city. "GR" in her opinion, would be a crack in the dike, and the neighborhood could not be restored to wholeness. She thinks the area should be maintained for the future.

A neighbor who lives down the street and did not identify herself, stated that Leonard Frazer runs a good shop. She is, however, opposed to "GR."

Mayor McClellan questioned a roll back covenant. Mr. Albert De La Rosa, Assistant City Attorney, stated Council has a difficult time knowing when a use ceases and there is a problem of enforcing the roll back properly. The City has to rely on the neighbors informing them of a change in use.

GRETCHEN ALLEY, 1317 West 6th Street, appeared to state there are still many residences on West 6th and asked Council to keep the zoning "O" Office in order to keep the neighborhood and business compatible.

Mr. Frazer returned for his summation presentation and said this problem is a difficult one because he agrees the neighborhood should remain residential. He again requested "GR" with a restrictive covenant.

Mayor Pro Tem Himmelblau moved that the Council grant the change to "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau
Noes: None
Absent: Councilmember Snell

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ITEM PULLED FROM AGENDA

Councilmember Cooke, who had placed an item on the agenda for discussion of request from Ballet Folklorico de Austin, asked that this item be pulled off the agenda.

CITIZEN DID NOT APPEAR

MR. ED HOLDREN, who had requested to discuss Socialism, did not appear.

CITIZEN QUESTIONED WORK DONE BY CITY

MR. ROBERT T. SHORTS appeared before Council to discuss unfinished work by the City of Austin Public Works Department. He lives at 2209 East 9th Street and said work begun by Public Works in 1974 has not been finished. He needs a driveway cut because the driveway bank was left 5-1/2 feet above the street.

MR. ROBERT E. BECKHAM, Office of the Director of Public Works, told Council their information is there was no driveway there before the work began.

Mr. Davidson, City Manager, suggested Council delay this item one week and he will come back with a report.

AMPLIFIED SOUND PERMIT

MR. CHARLES V. STRECKER III, Street District Leader, World of Pentecost, appeared before Council to request permission for amplified sound in non-residential-hospital zones until 10:00 P.M. He asked if this permit could be for longer than 30 days. It was evident he misconstrued the meaning of a permit, and Mr. Davidson, City Manager, informed him a permit is for one time only and can only be granted one night a year because there are too many problems involved. He suggested Mr. Strecker's group try their demonstration for one night, with the understanding that if there is a complaint from the neighbors between 8 and 10:00 P.M., they will have to discontinue the use of amplified sound.

Councilmember Goodman moved that the Council approve the request of Charles V. Strecker, III, Street District Leader, World of Pentecost, requesting permission for amplified sound in non-residential-hospital zones until 10:00 P.M., November 9, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen
Noes: None
Absent: Councilmember Snell
Not in Council Chamber when roll was called: Councilmember Cooke

CLARKSVILLE HOUSING DEVELOPMENT PROJECT

MS. PAULINE BROWN, President, Clarksville Community Development Corporation, requested to appear before Council to request \$50,000 HCD (Housing and Community Development) funds for "Clarksville Housing Development Project." She could not appear in person so her request was on a tape, which was played for Council.

WASTEWATER MAIN CONNECTION

MR. RICHARD A. CREASY appeared before Council to request approval for connection to the wastewater main in the Los Altos area. He stated his property is within the 2 mile ETJ (Extraterritorial Jurisdiction).

Mayor Pro Tem Himmelblau said she does not object to the connection, "but I feel very strongly when we extend certain amenities of the City of Austin that we should be compensated in lieu of taxes and would like the staff to look into this. I thought we set a precedent and I've asked for something from the Manager's office to set a policy in matters like this. I know the time span has been very short since I made that request of Mr. Davidson, but I would like to either hold this until we have such a policy or make an exception at this time."

Mr. Davidson stated, "If the Council would like, we will be happy to meet with this applicant and discuss such a policy with him and come back and report to Council." Mr. Creasy said he has no objection to paying taxes, or something else to the City. He has been granted septic tank approval but would rather connect to the City wastewater.

Mayor Pro Tem Himmelblau stated, "I will move on it if before we have any more requests like this that we have a definite policy in place of payment in lieu of taxes. We seem to get these in every couple of weeks and we act on them, but I would hope before another one is on the Council agenda, and I would ask staff to keep them off the agenda until Council has a policy."

Mayor Pro Tem Himmelblau moved that the Council allow Richard A. Creasy to connect to the City of Austin wastewater main, and to not have any more wastewater hook-up requests on the Council agenda for an area outside of the Austin city limits until Council has a policy which speaks to payment in lieu of taxes. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen
Noes: None
Absent: Councilmember Snell

AGENDA ITEM PULLED

MS. DIANNE DEBOIS, who had requested to discuss conditions of approval on Zoning Case No. C14-79-202 (approved October 25, 1979) asked that her communication be pulled for two weeks.

WATER AND WASTEWATER C.I.P.

The City Manager presented a report for Water and Wastewater Capital Improvements Program as follows: "I wanted to project with the Council the fact that it's probably not likely, based on what I've discussed with Councilmembers, that there could be called a bond election on water and wastewater prior to some time in the spring. The purpose of this communication is to point out that I certainly think we can wait a little while before requesting such a bond election, but I point out there are some critical projects that should not wait beyond February. In the meantime I am proposing that as needed, we bring to the Council various projects to be funded from the cash flow of the other projects that we don't need right away. And I wanted to lay this out in advance and give you a chance to study it and ask any questions and make any additional proposals. If the Council concurs with this method, then on a periodic basis we'll need to come back to you for specific approval any time we have projects that need to move forward in the categories we've outlined on the first page."

Mayor McClellan asked if it will be necessary to have a bond election on water and wastewater by February. Mr. Davidson told her that is correct. Mr. Davidson said he is not asking for an item by item approval on this today but would like to know of any objection Council might have but that he will have to come back for specific approval and appropriations as projects are brought before Council. The Mayor thought Council should look at this closely and perhaps next week give approval of concept. Mr. Davidson said that will be fine.

SMALL WATERSHED PROGRAM

Mr. Davidson presented a report on Procedure for Small Watershed Program. He said this in response to a proposal submitted by Mr. Mullen last week and as requested by the Council we have met with appropriate representatives of the United States Department of Agriculture and we find that even though the overall projects seem to be of fairly long duration that these people are very enthusiastic about this approach. In order to get this idea moving I would ask Council to consider authorization for me to actually request a field study of the watershed by the Soil Conservation Service so they can determine the feasibility of this project. Second, that Council authorize the Mayor to send communications to other jurisdictions having property within this watershed, advising of our request for the study and indicating that we would request at a later time their appropriate participation. With these actions we can immediately get something moving and try to secure this as one of the small watershed projects under the U. S. Department of Agriculture program. I think it's a good idea and ought to be pursued and we're ready to do so."

Councilmember Mullen said, "We've been in communication with Gerald Kazmierczak, Heritage Conservation and Recreation Service of the U. S. Department of Interior, in Albuquerque, New Mexico. They also have two programs that may be promising for us. That's the Land and Water Conservation Fund and the Historical Preservation Grant. So that's two other areas I'd like to be added in for us to pursue, plus in communication about this subject with the City Manager, another idea has evolved that he's helped me with that I'd like to share with this Council as I think it is very important. The Texas Highways, November 1979 issue, has an article about Barton Creek and it shows how very unique this creek is to Texas...not just Austin, but Texas. And there's a very good possibility that because this is so unique we should apply for this to be a national park. If we could do that, it may help solve the problem too. So I suggest we pursue this also from the area of making the whole thing a national park. With these four different items on tap the staff is going to be able to come up with working with the Federal government on some programs that will indeed save Barton Creek."

Mr. Davidson said he is ready to proceed with all of these ideas with the concurrence of the City Council.

Motion

Councilmember Mullen moved that the Council authorize the City Manager request a field study of the watershed by Soil Conservation Service; authorize Mayor McClellan to send communications to other jurisdictions with property in the watershed advising them of our request; pursue the Land and Water Conservation Fund and the Historical Preservation Grant; and check with the Federal government re feasibility of making the Barton Creek area a national park. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen,
Trevino

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem
Himmelblau

Absent: Councilmember Snell

CITIZEN APPEARED RE SIGN ORDINANCE

MR. BOB MILLER, Duplex Advertising, said he had not found out about the interim sign controls on 620 until this morning and does not have a copy of the ordinance. He said if it prohibits any outdoor advertising like it does on 183, he will be outlawed in a section of Austin. Mr. Albert De La Rosa said it is the same interim sign ordinance that covers MoPac and 360. The proposal would be to add Highway 620. Mr. Miller said he knows those controls as he was on the Sign Committee and wrote them. At that time they were dealing with high scenic areas. There was discussion concerning the scenic areas and the interim controls. Mr. Miller said he is confused by the ordinance.

Mayor Pro Tem Himmelblau said, "I guess I was the one that instigated it thinking that we need the same protection on 620 that we did on 360 and MoPac, so as we do zone and annex into the area we don't get a proliferation of free-standing signs. As the zoning progresses in intensity you get signs and my thinking was this deserved just as much of the scenic easement as the last area." More discussion ensued.

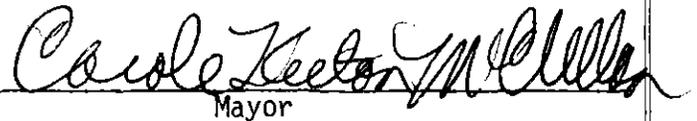
Councilmember Cooke moved that the Council refer to the Sign Committee for study the interim sign controls for that portion of Highway 620 within the city limits. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell

ADJOURNMENT

Council adjourned its meeting at 11:30 A.M.

APPROVED


Mayor

ATTEST:


City Clerk